

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
v.) 2:05-cr-00151-MHT-CSC
)
MARY WAGES BOBO, et. al.)

MOTION TO CONTINUE PRE-TRIAL CONFERENCE

COMES NOW the defendant, Mary Wages Bobo, by and through counsel, and respectfully moves the Court to continue the pretrial conference set for August 8, 2005 in the above-captioned cause, and instead to hold a status conference in her case. As grounds, the defendant states:

1. Undersigned counsel was appointed to represent Mrs. Bobo at his initial appearance on July 13, 2005.
2. On July 18, 2005, defense counsel received over 700 pages of discovery in this case.
3. Because of the volume of the discovery, defense counsel has not had an adequate opportunity to review all of the materials in the discovery.
4. The United States Sentencing Guidelines require that the defendant inform the government of his intent to enter a plea of guilty before the first pretrial conference in order to obtain a three-level downward departure for acceptance of responsibility. See U.S.S.G. 3E1.1(b).

5. Undersigned counsel has not had time to conduct an independent investigation of the facts of the case, to assess the existence of viable defenses, or to fully research the applicable law, all of which counsel must do in order to competently advise the defendant of whether she should plead guilty and what would constitute a reasonable plea bargain given the facts and circumstances of his case. As a result, although she may wish to plead guilty, Mrs. Bobo will be unable to inform the government of her intent to plead guilty prior to the pre-trial conference, as required by U.S.S.G. 3E1.1(b).

6. In addition, counsel will be unable to inform the court on August 8, 2005, as to whether this case will proceed to trial, how long such a trial would take, and what pretrial litigation and other matters need to be scheduled ahead of trial.

7. Accordingly, it would serve the interests of efficiency, justice, and due process to continue the pre-trial conference to a later date, and to instead hold a status conference on August 8, 2005.

WHEREFORE, based upon the above-stated grounds, the defendant respectfully requests a continuance of the August 8, 2005, pre-trial conference.

Respectfully submitted, this the 8th day of August, 2005.

/s/ Tiffany B. McCord
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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Ms. Tommie Brown Hardwick, Ms. Marion Chartoff, and the Federal Defender Program.

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